



5-278

*posted online*

**ORDINANCE NUMBER 2495**

**AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS AS HERETOFORE AMENDED; SO AS TO GRANT A SPECIFIC USE PERMIT FOR TO ALLOW LIGHT MANUFACTURING, ASSEMBLY OR REPAIR USE WITHIN AN EXISTING WAREHOUSE BUILDING LOCATED AT 4951 SIMONTON ROAD AND WITHIN THE PLANNED DEVELOPMENT NUMBER 80 ZONING DISTRICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS; PROVIDING FOR INJUNCTIVE RELIEF; AND PROVIDING AN EFFECTIVE DATE.**

Whereas, the Planning and Zoning Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, in compliance with the Charter of the City of Farmers Branch, and the State Law with reference to amending the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Farmers Branch is of the opinion that said change in zoning use should be made;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be, and the same is hereby amended, by amending the zoning map of the City of Farmers Branch so as to grant a Specific Use Permit to allow light manufacturing, assembly or repair use, as an ancillary use associated with the approved home improvement and furnishing establishment on the adjoining 10.77 acre site, and located within an existing warehouse building at 4951 Simonton Road and within the Planned Development Number 80 zoning district

SECTION 2. That the light manufacturing, assembly or repair use shall be located within the existing warehouse building located at 4951 Simonton Road, which building shall be constructed and specifically located in accordance with the approved site plan and associated building elevations, file-dated July 20, 1999, also attached as Exhibit "A" and subject to all conditions stated herein.

SECTION 3. That the light manufacturing, assembly or repair use shall be limited to the west side of the proposed relocated railroad tracks at the property addressed as 4951 Simonton Road.

SECTION 4. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, and upon convictions shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.

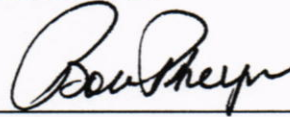
SECTION 5. If any section, paragraph, subdivision, clause, phrase, or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

SECTION 6. In addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

SECTION 7. This ordinance shall take effect immediately from and after its passage and publication of the caption of said ordinance, as the law in such case provides.

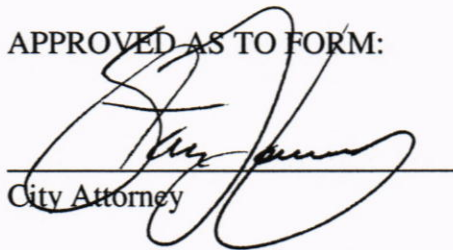
DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, on this the 16<sup>th</sup> day of August, 1999.

APPROVED:

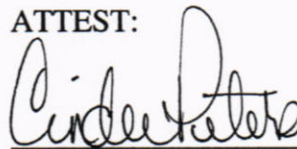


\_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

ATTEST:



\_\_\_\_\_  
City Secretary